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11 Attorneys for Defendants  
12 INCOM MECHANICAL, INC., JOE LOCATI, JEFFREY  
13 LOCATI, PHIL LOCATI.

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16 UNITED STATES DISTRICT COURT  
17 NORTHERN DISTRICT OF CALIFORNIA  
18  
19 SAN FRANCISCO DIVISION

20 RICKY MARTINEZ, JOSH LECLAIR,  
21 NORBERTO SUAREZ, TYLER FOX,  
22 AND JARED HUTMAN, individually, on  
23 behalf of all others similarly situated, and  
24 on behalf of the general public,

25 Plaintiffs,

26 v.

27 INCOM MECHANICAL, INC., JOE  
28 LOCATI, JEFFREY LOCATI, PHIL  
LOCATI, and DOES 1 through 50,  
inclusive,

Defendants.

Case No. 3:11-CV-01392-SI

STIPULATION AND [PROPOSED]  
ORDER EXTENDING DATES OF CASE  
MANAGEMENT CONFERENCE, RULE  
26(f) REPORT AND INITIAL  
DISCLOSURES

Complaint Filed: February 22, 2011

Action Removed: March 23, 2011

WHEREAS, this is a putative wage hour class and collective action alleging that Defendants violated the Fair Labor Standards Act, 29 U.S.C., Section 200 et seq., by failing to pay Plaintiffs overtime, with related state law claims for alleged overtime, travel time pay, failure to provide meal and/or rest breaks, failure to pay prevailing wages on state public works jobs, and other wage/hour claims; and

1                   WHEREAS, Defendant Incom Mechanical, Inc. is a small plumbing contractor  
2 located in Petaluma, California; and

3                   WHEREAS, the parties have scheduled a mediation with attorney Mark Rudy for  
4 July 5, 2011; and

5                   WHEREAS, Defendant has provided Plaintiff with relevant payroll records for all  
6 putative class members, timesheets for the Plaintiffs, GPS records, and documents concerning its  
7 financial condition; and

8                   WHEREAS, the parties will continue to exchange relevant documents which will  
9 enable Plaintiffs' counsel to prepare for the July 5 mediation, and to assess the potential settlement  
10 value of the case; and

11                  WHEREAS, the parties wish to conserve their resources, and those of the Court, in  
12 the hopes that the parties will be able to reach settlement at the mediation on July 5, or thereafter;  
13 and

14                  WHEREAS, the parties' Rule 26(f) report and Rule 26(a) initial disclosures are  
15 currently due July 28, 2011.

16                  THEREFORE, the parties respectfully request that the Case Management Conference  
17 currently scheduled for August 5, 2011 at 2:30 p.m. before the Hon. Susan Illston be continued  
18 approximately 45 days to allow the parties to focus on attempting to settle the case, and to allow  
19 sufficient time to prepare the proposed class settlement papers, if a settlement is reached, with the  
20 dates for the parties' Rule 26(f) report and Rule 26(a) initial disclosures also continued for  
21 approximately 45 days.

1 IT IS SO STIPULATED.  
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3 Dated: May, 16, 2011  
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5 */s/ Robert L. Zaletel*  
6 ROBERT L. ZALETTEL  
7 LITTLER MENDELSON  
8 A Professional Corporation  
9 Attorneys for Defendant  
10 INCOM MECHANICAL, INC.,  
11 JOE LOCATI, JEFFREY LOCATI, PHIL  
12 LOCATI  
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14 Dated: May 16, 2011  
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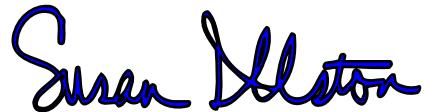
16 */s/ Bryan Schwartz*  
17 BRYAN SCHWARTZ  
18 BRYAN SCHWARTZ LAW  
19 Attorney for Plaintiffs  
20 RICKY MARTINEZ, ET AL.  
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1 ORDER  
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3 For good cause appearing, the Case Management Conference in this case is hereby continued  
4 to September 16, 2011 at 2:30 p.m., Courtroom 10, Hon. Susan Illston. The parties' last date to file  
5 their Rule 26(f) report, complete Rule 26(a) initial disclosures, and file their Joint Case Management  
6 Conference Statement shall be one week before the Case Management Conference, or September 9,  
7 2011.

8 IT IS SO ORDERED.  
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10 Dated: 5/17/11  
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12 U.S. DISTRICT COURT JUDGE  
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